

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

JAMES LINDELL McWHIRT,)	
Register No. 1061089,)	
)	
Plaintiff,)	
)	
v.)	No. 06-4182-CV-C-SOW
)	
JOEL PUTNAM, et al.,)	
)	
Defendants.)	

ORDER

On February 21, 2008, United States Magistrate Judge William A. Knox recommended granting defendants' motion of October 23, 2007, for summary judgment. On January 28, 2008, Judge Knox also recommended that defendant Cowan's motion of August 15, 2008, to dismiss be granted on plaintiff's claim for false statements and denied on all other issues. The parties were advised they could file written exceptions to the recommendations, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on March 3, 2008, and his request for an extension of time. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation on the motion for summary judgment. The case from the Eastern District of Missouri, Graves v. Narcotics Service Counsel, Inc., 605 F. Supp. 1285 (1985), was cited in defendants' motion, which was filed on October 23, 2007. Plaintiff had ample opportunity to obtain a copy of the case and to respond to the motion and to the report and recommendation.

No exceptions were filed with regard to the recommendation of January 28, 2008.

The court is persuaded that the recommendations of the Magistrate Judge are correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Reports and Recommendations of January 28 and February 21, 2008, are adopted. [79, 95] It is further

ORDERED that defendant Cowan's motion of August 15, 2007, to dismiss is granted on plaintiff's claim for false statements and denied on all other issues. [32] It is further

ORDERED that the motion of October 23, 2007, for summary judgment, filed by defendants Joel Putnam, Michelle Thompson, Michael Princivalli and Stephana Landwehr, is granted and plaintiff's claims against those defendants are dismissed. [46] It is further

ORDERED that plaintiff's motion for an extension of time to respond to the report and recommendation is denied. [100]

/s/Scott O. Wright

SCOTT O. WRIGHT

Senior United States District Judge

Dated: March 12, 2008